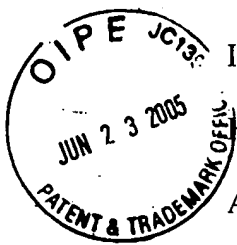


JC03 Re PCT/PTO 23 JUN 2005

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Re Application of

Hacker et al.

Group Art Unit: not known

Application No. 10/525,558

Examiner: not known

Priority claimed from: PCT/EP2004/006886 (filed June 25, 2004) and  
German application 103 28 669.1 (filed June 26, 2003)

Filed: February 24 2005

For: Plasmid-Free Clone of E. Coli Strain DSM6601

\* \* \* \* \*

June 22, 2005

LETTER CORRECTING ERROR IN SMALL ENTITY STATUS

Hon. Commissioner of Patents  
And Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

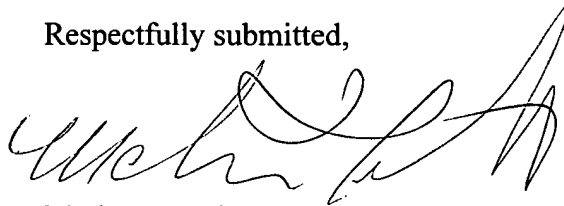
In connection with the above-referenced patent application, and pursuant to 37 CFR 1.28(c), applicants here correct the small entity status that was erroneously indicated in the application filing papers dated February 24, 2005. Small entity fees were consequently paid with the application filing papers. The applicant is actually a large entity. The small entity status asserted in the February 24, 2005 filing papers was made in good faith by applicants' representative. The error was recently discovered when the applicant realized that their representative had misconstrued applicants' entity status. Applicants here correct the error by the below itemized calculation of the deficiency in the filing fees paid February 24, 2005.

Letter Correcting In Small Entity Status  
June 22, 2005  
Page 2 of 2

<u>Type of fee</u> <u>(all paid 2/24/05)</u>	<u>Current fee amount</u> <u>for non-small entity</u>	<u>Small entity fee</u> <u>actually paid</u>	<u>Deficiency</u> <u>owed</u>
Basic national fee	\$300.00	\$150.00	\$150.00
Examination fee	\$200.00	\$100.00	\$100.00
Search fee	\$500.00	\$250.00	\$250.00
Total deficiency payment owed			\$500.00

Enclosed is a check for the total deficiency payment of \$500.00. Please process it to this application as appropriate. If there are any questions, please contact the undersigned at (301) 977-7227.

Respectfully submitted,



Marlana K. Titus  
Nash & Titus, LLC  
Reg. No. 35,843

Nash & Titus, LLC  
6005 Riggs Road  
Laytonsville, MD 20882  
(301) 977-7227

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No. **#5**  
H&U122

In Re Application Of: **Hacker et al.**

**Rec'd PCT/PTO 23 JUN 2005**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/525,558	Feb. 24, 2005	not known	000041022	not known	not known

Title: **Plasmid-Free Clone of E. Coli Strain DSM 6601**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
H&U122

In Re Application: **Hacker et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/525,558	Feb. 24, 2005	not known	000041022	not known	not known

Title: **Plasmid-Free Clone of E. Coli Strain DSM 6601**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **500867** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)
_____ (Date)
_____ Signature
_____ Typed or Printed Name of Person Signing Certificate

**\*This certificate may only be used if paying by deposit account.**

\_\_\_\_\_  
Signature

**Certificate of Mailing by ~~First Class Mail~~ <sup>Federal Express</sup>**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____
June 22, 2005 (Date)
_____ Signature of Person Mailing Correspondence
Marlana Titus Typed or Printed Name of Person Mailing Certificate

Dated: **June 22, 2005**

**Marlana Titus, Reg. No. 35,843**  
**Nash & Titus, LLC**  
**6005 Riggs Road**  
**Laytonsville, MD 20882**  
**(301) 977-7227**

CC: